

City of Milpitas

Office of the City Manager

455 East Calaveras Blvd., Milpitas California 95035-5479



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August 4, 2003

Mr. Eddie Garcia
Director of Government Affairs
AT&T Broadband
1900 South 10th Street
San Jose, CA 95112

Re: Request for Information

Dear Mr. Garcia:

As you know, the City of Milpitas has retained the firm of Moss & Barnett to assist in our franchise renewal. As part of this process, Moss & Barnett is conducting a franchise fee review. An initial request for financial information was sent to your attention on March 4, 2003 with subsequent requests made by phone from both Moss & Barnett and the City. Section III-22-15.13 of the City's Franchise ordinance allows the City to request such information to ensure the correct calculation of franchise fees.

I am requesting your prompt attention to these repeated requests to ensure that Comcast remains in compliance with the existing franchise and to not cause delay in the renewal process. If necessary the City may be forced to consider a franchise violation proceeding against Comcast if Comcast continues to ignore the information requests. Please provide the requested information to Mr. Yuri Berndt of Moss & Barnett as soon as possible or provide a date on which such information will be sent. If you have any questions, please contact me at 408 586-3060.

Sincerely,

Blair King
Assistant City Manager

cc: William Marion, Information Services Director
Brian T. Grogan, Esq., Moss & Barnett
Telecommunication Commission

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